

714H.3 Prohibited practices and acts.

1. A person shall not engage in a practice or act the person knows or reasonably should know is an unfair practice, deception, fraud, false pretense, or false promise, or the misrepresentation, concealment, suppression, or omission of a material fact, with the intent that others rely upon the unfair practice, deception, fraud, false pretense, false promise, misrepresentation, concealment, suppression, or omission in connection with the advertisement, sale, or lease of consumer merchandise, or the solicitation of contributions for charitable purposes. For the purposes of [this chapter](#), a claimant alleging an unfair practice, deception, fraud, false pretense, false promise, or misrepresentation must prove that the prohibited practice related to a material fact or facts. “*Solicitations of contributions for charitable purposes*” does not include solicitations made on behalf of a political organization as defined in [section 13C.1](#), solicitations made on behalf of a religious organization as defined in [section 13C.1](#), solicitations made on behalf of a state, regionally, or nationally accredited college or university, or solicitations made on behalf of a nonprofit foundation benefiting a state, regionally, or nationally accredited college or university subject to section 509(a)(1) or 509(a)(3) of the Internal Revenue Code of 1986.

2. A person shall not engage in any practice or act that is in violation of any of the following:

- a. [Section 321.69](#).
- b. [Section 321.71A](#).
- c. [Chapter 516D](#).
- d. [Section 516E.5](#), [516E.9](#), or [516E.10](#).
- e. [Chapter 555A](#).
- f. [Section 714.16, subsection 2](#), paragraphs “b” through “n”.
- g. [Chapter 714A](#).

[2009 Acts, ch 167, §3, 9](#); [2015 Acts, ch 72, §3, 4](#)

Subsection 2, NEW paragraph b and former paragraphs b – f redesignated as c – g